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Proposed programme budget for the biennium 2012-2013

Oceans and the law of the sea

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Programme budget implications of draft resolution A/66/L.21

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 63 and 64 of draft resolution A/66/L.21, the General Assembly would request the Secretary-General:

(a) To take appropriate and timely measures to ensure secretariat services for the Commission on the Limits of the Continental Shelf and its subcommissions for the extended duration of time requested in the decision of the twenty-first Meeting of States Parties to the United Nations Convention on the Law of the Sea;

(b) To allocate appropriate and sufficient resources to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat to provide adequate services and assistance to the Commission in view of the increased number of its working weeks, including through the establishment of additional posts to reinforce the Geographic Information System (GIS), legal and administrative support to the Commission by the Division, respectively.

2. Furthermore, under the terms of operative paragraphs 36, 66, 168, 208, 231 and 245 of the draft resolution, the General Assembly would:

(a) Request the Secretary-General to convene the twenty-second Meeting of States Parties to the Convention in New York from 4 to 11 June 2012 and to provide full conference services, including documentation, as required;

(b) Approve the convening by the Secretary-General of the twenty-ninth and thirtieth sessions of the Commission in New York from 19 March to 27 April 2012

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and from 30 July to 10 August 2012, respectively, with full conference services, including documentation, for the plenary parts of these sessions,[1] as well as any resumed twenty-ninth and thirtieth sessions, as may be required by the Commission, and request the Secretary-General to make every effort to meet these requirements within overall existing resources, on the understanding that the following periods of the twenty-ninth session will be used for the technical examinations of submissions at the GIS laboratories and other technical facilities of the Division: 19 March to 5 April and 23 to 27 April;

(c) Noting paragraph 73 of resolution 59/24, request the Secretary-General to convene meetings of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction in accordance with paragraph 167 of draft resolution A/66/L.21 and paragraphs 79 and 80 of resolution 60/30, and in this regard to convene, with full conference services, a meeting of the Ad Hoc Open-ended Informal Working Group, to take place from 7 to 11 May 2012, to provide recommendations to the General Assembly at its sixty-seventh session, and request the Secretary-General to make every effort to meet the requirement for full conference services within existing resources;

(d) Request the Secretary-General to convene the third meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects from 23 to 27 April 2012 with a view to enabling the first cycle of the first global integrated assessment to proceed, and to provide recommendations to the General Assembly at its sixty-seventh session;

(e) Request the Secretary-General to convene, in accordance with paragraphs 2 and 3 of resolution 54/33, the thirteenth meeting of the Informal Consultative Process on Oceans and the Law of the Sea, in New York from 29 May to 1 June 2012, to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division, in cooperation with other relevant parts of the Secretariat, as appropriate;

(f) Decide to devote two days of plenary meetings at its sixty-seventh session, on 10 and 11 December 2012, to the consideration of the item entitled "Oceans and the law of the sea" and the commemoration of the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea, including special recognition of the crucial role played by Ambassador Arvid Pardo of Malta, and in particular his visionary speech delivered on 1 November 1967 before the General Assembly, leading to the adoption of the Convention, and encourage Member States and observers to be represented at the highest possible level.

II. Relationship of the requests to the programme of work for the biennium 2012-2013

3. The activities referred to in operative paragraphs 63 and 64 of draft resolution A/66/L.21 relate to subprogramme 4, Law of the sea and ocean affairs, of

[1] From 9 to 20 April 2012 and from 30 July to 10 August 2012.

programme 6, Legal affairs, and programme 24, Management and support services, of the strategic framework for the period 2012-2013 (A/65/6/Rev.1). They also fall under section 8, Legal affairs (A/66/6 (Sect. 8) and Corr.1), and section 29D, Office of Central Support Services (A/66/6 (Sect. 29D)) of the proposed programme budget for the biennium 2012-2013. There would not be any modifications to the programme of work.

4. The provisions of operative paragraphs 36, 66, 168, 208, 231 and 245 of draft resolution A/66/L.21 relate to programme 1, General Assembly and Economic and Social Council affairs and conference management, and programme 24, Common support services, of the strategic framework for the period 2012-2013. They also fall under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 29D, Office of Central Support Services of the proposed programme budget for the biennium 2012-2013. There would not be any modifications to the programme of work.

III. Activities by which the proposed requests would be implemented

5. The United Nations Convention on the Law of the Sea provided for the establishment of the Commission on the Limits of the Continental Shelf, which consists of 21 members who shall be experts in the field of geology, geophysics or hydrography. In accordance with article 2, paragraph 5, of annex II to the Convention "the secretariat of the Commission shall be provided by the Secretary-General of the United Nations". The Division for Ocean Affairs and the Law of the Sea is the organizational unit of the Secretariat entrusted to provide these services to the Commission.

6. Under the new arrangements set out at the twenty-first Meeting of States Parties to the United Nations Convention on the Law of the Sea in its decision SPLOS/229, of which the General Assembly would take note in paragraph 58 of draft resolution A/66/L.21, all 21 members would be expected to "... meet in New York for up to 26 weeks, but not less than an intended minimum of 21 weeks, a year for a period of five years, distributed in such a way that the Commission determines to be the most effective, and that no two sessions be sequential", which would represent a significant increase in the workload of the Commission. For the purposes of illustration, if all the 21 members were to work for 21 weeks in New York, that would amount to 441 working weeks, an approximate increase of 250 per cent compared to the 172 working weeks in 2011, and if all 21 members were to work for 26 weeks in New York, that would amount to 546 working weeks, an approximate increase of 320 per cent compared to the 172 working weeks in 2011. Consequently, it is expected that the methods of work of the Commission would change, resulting in a substantial increase in the number of submissions simultaneously under active consideration. In view of the volume and nature of the submitted information and data and the complexity of related GIS services, these changes in working methods would present considerable new challenges to the Division. In the light of the foregoing, even though a part of the increased needs will be absorbed by the Division from within existing resources, there would be a need to strengthen the capacity of the Division by adding three new posts.

7. With regard to the provisions of paragraphs 36, 66, 168, 208, 231 and 245, full conference services, including documentation, as requested, would be provided for the meetings referred to in those paragraphs.

IV. Estimated resource requirements for the biennium 2012-2013

8. For the biennium 2012-2013, it is estimated that in order to ensure enhanced support and assistance to the Commission, three new posts would be required to strengthen the capacity of the Division: one Senior Geographic Information System Officer (P-5), one Legal Officer (P-4) and one Administrative/Information Technology Assistant (General Service (Other level)). The estimated cost in connection with the staffing enhancement of the Division, pursuant to paragraphs 63 and 64 of draft resolution A/66/L.21, would amount to $815,800 under section 8, Legal affairs ($537,000), section 29D, Office of Central Support Services ($192,100), and section 37, Staff assessment ($86,700), to be offset by the same amount under income section 1, Income from staff assessment (A/66/6 (Income Sect. 1)), of the proposed programme budget for the biennium 2012-2013.

9. These resources would provide for the additional staffing costs and for such operational costs as office accommodation, commercial communications, supplies, furniture and equipment related to the establishment of the three posts. The functions of the posts are set out in the annex to the present document.

10. No additional resources would be required for conference services related to the meetings referred to in operative paragraphs 36, 66, 168, 208, 231 and 245 of the draft resolution, since all the meetings have already been included in the calendar of conferences and meetings.

V. Potential for absorption during the biennium 2012-2013

11. No provision has been made under the proposed programme budget for the biennium 2012-2013 in relation to the increase in activities referred to under operative paragraphs 63 and 64 of draft resolution A/66/L.21. At the current stage, it is not possible to identify activities within the relevant sections of the proposed programme budget for the biennium 2012-2013 that could be terminated, deferred, curtailed or modified during the biennium. It would therefore be necessary for additional resources to be provided through an additional appropriation.

VI. Contingency fund

12. It will be recalled that under the procedure established by the General Assembly in resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the approved or proposed programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or the modifications of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

VII. Action required of the General Assembly

13. **Accordingly, should the General Assembly adopt draft resolution A/66/L.21, additional resources in the amount of $815,800 gross ($729,100 net) would be required under section 8, Legal affairs ($537,000), section 29D, Office of Central Support Services ($192,100), and section 37, Staff assessment ($86,700), to be offset by the same amount under income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2012-2013. This would represent a charge against the contingency fund.**

Annex

Functions of the proposed posts for the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs

Senior Geographic Information System Officer (P-5)

1. The Senior Geographic Information System Officer would play a key role in achieving the desired accuracy and completeness of the analysis of the submissions to the Commission on the Limits of the Continental Shelf, which in turn would lead to efficiency and effectiveness in the preparation of the recommendations. The Senior GIS Officer will be expected to perform the following duties:

(a) Carry out overall management and administration of the GIS team:

(i) Lead and direct the team of GIS officers, participate in the recruitment and selection of new officers, develop training programmes, plan and allocate work assignments and coach, mentor and evaluate the officers;

(ii) Manage the handling of submissions to the Commission, supervise the storage and handling of the submission material, including confidential material and GIS data and their archiving and manage the related workflow;

(iii) Conceptualize, develop strategy for and oversee the design and implementation of the Division's geographic information systems with a view to better servicing the needs of the Commission;

(iv) Provide authoritative technical and policy advice to the Director on the Division's GIS development, identify and plan for future needs, with a focus on the development and dissemination of best practices;

(v) Develop standards, procedures and practices to ensure a stable and effective GIS environment;

(vi) Prepare bid documents and arrange contracts, supervise, coordinate and negotiate the services required to enable the management and operation of geographic information systems;

(vii) Prepare and monitor the budget, work programme and spending plan related to geographic information management;

(b) Service the Commission on the Limits of the Continental Shelf:

(i) Work continuously on advance preparation and analysis of submissions, as well as on summarizing the post-analysis information to enable the subcommissions to resume their work promptly;

(ii) Identify technical aspects of submissions requiring particular attention of the Commission in view of its established practices, including past decisions and recommendations;

(iii) Provide information, upon request by the Commission, on a variety of scientific topics for the latest scientific work or acquired data;

(iv) Ensure prompt access to any additional information and/or data that may be required;

(v) Develop and maintain a standardized, easy-to-access repository of the acquired data;

(c) Carry out other duties and responsibilities as required:

(i) Participate in the discharge of the depository functions of the Secretary-General under the Convention relating to the deposit of charts and ensuring due publicity, monitoring and analysis of State practice and international judicial decisions;

(ii) Provide assistance to States in the implementation of the Convention and its implementing Agreements with regard to the baselines, delineation of outer limits of their maritime zones, including the continental shelf, and delimitation of maritime boundaries;

(iii) Participate in the servicing of a number of intergovernmental meetings;

(iv) Participate in the preparation and delivery of outputs and projects as requested by the General Assembly in its resolutions, in particular in the field of capacity-building.

Legal Officer (P-4)

2. The Legal Officer would be responsible for ensuring that procedural and organizational support is provided to the subcommissions, including the following tasks:

(a) Prepare notifications of opening dates of sessions, the provisional agenda, arrangements related to the sessions of the Commission and meetings of its subcommissions and any subsidiary bodies, notifications of the receipt of submissions and the publication of the proposed outer limits contained therein;

(b) Circulate proposals made by members of the Commission during its debate;

(c) Transmit notifications from the Commission to coastal States as to when and where a submission will be first considered, communications between the subcommissions and coastal States (and translations if needed) and notifications of preliminary timetables from the Commission to the delegations of the coastal States;

(d) Arrange for consultations between the subcommissions and delegations of coastal States and translation of submissions made in languages other than English, if needed;

(e) Record submissions;

(f) Provide assistance to the Commission in the enforcement of its rules on confidentiality;

(g) Organize the return of confidential material to the coastal States, custody of the recommendations, translation of the recommendations, if needed, and the transmission of recommendations from the subcommission to the Chair of the Commission;

(h) Prepare documents to give due publicity to the outer limits and to the recommendations of the Commission (or a summary thereof), through maritime zone notifications and on the Division's website;

(i) Participate in the organization of the deposited information relating to the outer limits of the continental shelf;

(j) Participate in the organization of the deposited information relating to the delimitation lines, if any;

(k) Provide assistance to States, at their request, regarding capacity-building in relation to the implementation of the United Nations Convention on the Law of the Sea, in particular the preparation of submissions;

(l) Participate in the servicing of a number of intergovernmental meetings.

Administrative/Information Technology Assistant (General Service (Other level))

3. The Administrative/Information Technology Assistant would:

(a) Conduct basic research on assigned issues, using existing files and alternative sources (e.g., computer-assisted searches using the intranet, Internet or other databases);

(b) Provide general office support services, process, draft, edit, proofread and finalize for signature and/or approval a variety of correspondence and other communications, including specialized legal documentation, schedule appointments and meetings and monitor deadlines;

(c) Ensure that all correspondence and other documentation is appropriately filed, registered and followed up, as necessary, in the digital information management system;

(d) Assist in the maintenance of a body of reference files, both paper and electronic, to ensure rapid retrieval of critical information;

(e) Assist in the servicing of meetings;

(f) Update software licences;

(g) Ensure that software installations and updates are being delivered correctly;

(h) Ensure that the network security arrangements are in place, as defined by the supervisor, bearing in mind the Commission's requirements;

(i) Provide information technology support to the members of the Commission;

(j) Ensure, in collaboration with the Office of Information and Communications Technology, that the server hosting the submission data is operational at all times.